



House of Representatives

General Assembly

File No. 293

February Session, 2012

Substitute House Bill No. 5391

House of Representatives, April 5, 2012

The Committee on Insurance and Real Estate reported through REP. MEGNA of the 97th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING A LAW ENFORCEMENT AGENCY'S USE OF AN AUTOMATED LICENSE PLATE RECOGNITION SYSTEM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2012*) (a) For the purposes of
2 this section, "automated license plate recognition system" means a
3 system of one or more mobile or fixed high-speed cameras combined
4 with optical character recognition technology software that detects the
5 presence of a motor vehicle license plate, captures the image of the
6 license plate, converts the image into computer readable data, stores
7 such data together with the date, time and location of such captured
8 image in a database and links such data to other applications or
9 compares such data to data stored in other databases.

10 (b) Whenever a law enforcement agency uses an automated license
11 plate recognition system, any data collected by such system and stored
12 by such law enforcement agency or another law enforcement agency
13 with which such data has been shared shall be expunged by such
14 agency or agencies not later than fourteen days after the date of

- 15 collection of such data unless such data is relevant and material to an
16 ongoing criminal investigation or prosecution.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2012</i>	New section
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INS*Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

There is no state or municipal fiscal impact associated with limiting the amount of time law enforcement agencies may retain data from automated license plate recognition systems.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**sHB 5391*****AN ACT CONCERNING A LAW ENFORCEMENT AGENCY'S USE OF AN AUTOMATED LICENSE PLATE RECOGNITION SYSTEM.*****SUMMARY:**

This bill requires that law enforcement agencies that use automated license plate recognition systems expunge the data the system collects and the agency stores within 14 days after collection unless the data is relevant and material to an ongoing criminal investigation or prosecution. It applies the same requirement to a law enforcement agency that receives the data from a law enforcement agency that collected it. It is unclear whether the latter provision applies if the data is shared with an out-of-state or federal law enforcement agency.

Under the bill, an automated license plate recognition system is one that uses one or more mobile or fixed high-speed cameras with optical character recognition technology software that:

1. detects the presence of a motor vehicle;
2. captures the image of its license plate;
3. converts the image into computer readable data;
4. stores this data together with the date, time, and location of the captured image in a database; and
5. links this data to other applications or compares it with other data stored in other databases.

It is unclear whether the bill applies when other types of agencies use such systems for noncriminal matters, e.g., a tax collector's office uses the system to enforce property tax laws, and shares the data with a law enforcement agency.

EFFECTIVE DATE: October 1, 2012

COMMITTEE ACTION

Insurance and Real Estate Committee

Joint Favorable Substitute

Yea 15 Nay 4 (03/20/2012)